

Zoning Bylaw Working Group (ZBWG)
February 27, 2019
8:30 a.m. – 10:00 a.m.
Arlington Town Hall, First Floor Conference Room
MEETING SUMMARY

Attendees: Pamela Heidell, Charles Kalauskas, Christian Klein, Jenny Raitt, Stephen Revilak, David Watson, Ralph Willmer, John Worden, Erin Zwirko

Guests: Jo Anne Preston

Jenny and Erin began by indicating that the comments from the various members of the Working Group were circulated by email. Erin also provided an accounting of the comments received by Article for use during the discussion. Erin explained that the plan for the meeting is to go through each Article and discuss anything that merits further discussion by the Working Group.

John asked for clarification on the purpose of the Working Group. Ralph noted that while the main task of the Working Group is to oversee the sign regulations update, the group would be given the opportunity to comment on other articles under discussion.

Beginning with Article 17, Erin noted that she would like the feedback from the Working Group on specifically exempting non-illuminated, non-commercial signage at residences. Erin noted that it is clear in the regulations that there are reasonable allowances, but should there be a specific exemption. The recommendation of the Working Group was to make it an exemption. Steve asked about the Department of Planning and Community Development's role in the sign permitting and requested clarification. Christian asked about an earlier discussion of the Working Group and whether sign special permits should be entirely under the purview of the ARB. Jenny suggested that if the ZBA has the opportunity to discuss, any recommendations would be appreciated.

On Articles 18 and 19, the Working Group noted that the items previously discussed with the Conservation Commission were added to the amendment text, specifically allowing credible evidence in determining the extent of the floodplain and amending the inland wetland district to be consistent with the extent of the Riverfront area, a jurisdictional area. References to the Conservation Commission's regulations were incorporated were appropriate.

There were no comments on Article 20 and 22.

On the whole of the amendments for multi-family uses and mixed-use, there was some discussion about particular elements. On Article 6, Charlie asked about the minimum lot area for townhouse structures and whether it was realistic. There was some discussion that the minimum lot area is only a minimum, and every case would not be 5 townhouse units on a 5,000 square foot lot. Jo Anne Preston asked about the review by the Historic Districts

Commission. All projects within a historic district would still require by the AHDC. Relative to Article 7, Christian asked about the side yard setback for mixed-use buildings in the B1 district. He felt that there should be some setback to ensure that maintenance of a building could be accomplished without encroaching on the neighbor. Charlie had some concern about consolidating the business districts via the adjustments to the density and dimensional requirements especially if the map is amended in the future. David noted that there still an ebb and flow to the business districts, and that the ARB retains its special permit granting authority so the ARB can ensure that there is still separation.

Turning to Article 15 on accessory dwelling units, John recommended that the accessory unit require parking, affordability, and a reference to a date certain for existing single-family structures. Erin noted that February 14, 2019 would be effective date of the bylaw as it corresponds with when the first legal notice appeared in the newspaper, and that it would be added to the amendment. Christian asked if there were examples where the main house was deemed affordable. Ralph indicated that he was not aware of any examples in MA. Requiring affordability is not the typical process in the MA examples of accessory dwelling unit bylaws. Jenny noted that Barnstable had an affordability requirement initially which was removed when it was determined to be a major hurdle to permitting accessory dwelling units. Charlie asked whether a new special permit would be required when the home was conveyed or sold. It is not required, but the Working Group discussed the possibility of indicating that the accessory dwelling unit could not be conveyed separately from the main house. There was some discussion that there are examples of separate living quarters in Arlington, but that full kitchens are not installed.

Briefly on Article 16, which is Steve's amendment for the inclusionary zoning section, John suggested that the triggering threshold should be lowered. He also suggested that developers who build on multiple parcels should be required to comply with Section 8.2 of the Bylaw once the developer reaches the 6 unit threshold. Ralph noted that an aggregation scheme would not be legal as it has to be tied to a single development.

Steve made a motion to accept the meeting summaries from January and February. Charlie seconded the motion. All presented voted in favor, however Christian abstained from the January meeting and Ralph and David abstained from the February meeting.

The Working Group will meet next on April 3, 2019.

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